



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

201-15540

APR 26 2004

OFFICE OF
PREVENTION, PESTICIDES, AND
TOXIC SUBSTANCES

Dr. Wm. Claude White
Lyondell Chemical Company
One Houston Center
P. O. Box 3646
Houston, Texas 77253-3646

Dear Dr. White:

Thank you for your letter dated August 1, 2002 to the U.S. Environmental Protection Agency (EPA) regarding the High Production Volume (HPV) Challenge Program. We apologize for the delay in responding.

Your letter requests that CAS #823-40-5 (2,6-Toluene diamine or 2,6-TDA) receive designation as "no longer HPV" and, therefore, be removed from the HPV Challenge Program Chemical List.

As you know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK) website (www.epa.gov/chemrtk) in March 1999. Based on our review of the most up-to-date IUR reporting for years 1998 and 2002, we have determined that CAS #823-40-5 (2,6-Toluene diamine or 2,6-TDA) does not meet the "no longer HPV" criteria. EPA will entertain a request from Arco to amend purportedly erroneous reporting from the 1998 Inventory Update Rule (IUR) reporting cycle. Upon favorable consideration of that amendment, EPA can reevaluate your request based on the no longer HPV criteria.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-8176. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached by via e-mail at tsc hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201

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